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UNITED STATES OF AMERICA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 01 2002

at 4 o'clock and 50 min P.M.  
WALTER A. Y. H. CHAN, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	) CR. NO. <u>C R O 2 0 0 1 7 8 S O M</u>
	)
Plaintiff,	) INDICTMENT
vs.	) [21 U.S.C. §§ 846, 843(b), 841(a)(1)
JASON JONES	) 18 U.S.C. §§ 472 and 2] <i>see</i> (01),
SOLOMON M. FRASER,	(02),
PENI AMATO,	(03),
DAVID SOLA KAUVAKA,	(04),
INITAMITIETI LIUTAI,	(05),
KENNETH JAMES DUARTE,	(06),
ELIZABETH ANN JONES,	(07),
	)
Defendants.	)
	)

INDICTMENT

COUNT 1

The Grand Jury charges that:

From a date unknown but from at least on or about January 2000, to on or about April 24, 2002, in the District of

Hawaii and elsewhere, the defendants, JASON JONES, SOLOMON M. FRASER, PENI AMATO, DAVID SOLA KAUVAKA, INITAMITIETI LIUTAI, KENNETH JAMES DUARTE, ELIZABETH ANN JONES together with Kava Mone Toia, Trent Allen Woodmore, aka "MJ," aka "Shoreline," Jeral E. Smith, Leon Len Allen, Jr., Gaugau Fai Lepetia, Katoni Johansson, aka "Toni Aleki," Aisea Tupou, and Lisa Elaine Curry, not defendants herein, did conspire together with each other, and with other persons known and unknown to the Grand Jury, to commit offenses against the United States, that is, to knowingly and intentionally distribute and possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, in excess of 50 grams, a Schedule II controlled substance, and to distribute and possess with intent to distribute a quantity of cocaine, in excess of 500 grams, a Schedule II controlled substances, in violations of Title 21, United States Code, Section 841(a)(1).

Overt Acts

In furtherance of the conspiracy and to effect the objectives thereof, the co-conspirators performed the following overt acts, among others in the District of Hawaii and elsewhere:

1. During the year 2000, Kava Mone Toia distributed cocaine and crystal methamphetamine on Maui.
2. On or about December 5, 2001, Kava Mone Toia spoke on the telephone with defendant JASON JONES.

3. On or about December 5, 2001, Kava Mone Toia spoke on the telephone with Gaugau Fai Lepetia concerning the distribution of a quantity of methamphetamine.

4. On or about December 6, 2001, Leon Len Allen, Jr. spoke on the telephone with Kava Mone Toia concerning the distribution of a quantity of methamphetamine.

5. On or about December 6, 2001, Gaugau Fai Lepetia spoke on the telephone with Kava Mone Toia.

6. On or about December 7, 2001, Leon Len Allen, Jr. spoke to Kava Mone Toia on the telephone.

7. On or about December 8, 2001, Kava Mone Toia spoke on the telephone with defendant Aisea Tupou concerning the distribution of a quantity of methamphetamine.

8. On or about December 9, 2001, Kava Mone Toia spoke on the telephone with defendant JASON JONES concerning the distribution of a quantity of methamphetamine.

9. On or about December 9, 2001, Katoni Johansson, aka "Toni Aleki," spoke on the telephone with Kava Mone Toia.

10. On or about December 10, 2001, Lisa Elaine Curry spoke on the telephone with Kava Mone Toia concerning the distribution of a quantity of methamphetamine.

11. On or about December 10, 2001, Lisa Elaine Curry met Kava Mone Toia in Kihei, Maui.

12. On or about December 11, 2001, Gaugau Fai Lepetia spoke on the telephone with Kava Mone Toia.

13. On or about December 10, 2001, Kava Mone Toia spoke on the telephone with defendant JASON JONES regarding the seizure of a motorcycle in payment for monies owed for methamphetamine.

14. On or about December 10, 2001, Kava Mone Toia, defendants INITAMITIETI LIUTAI and JASON JONES transported a motorcycle from the residence of defendant KENNETH DUARTE to Toia's residence.

15. On or about December 11, 2001, Kava Mone Toia spoke on the telephone with defendant SOLOMON M. FRASER.

16. On or about December 11, 2001, Aisea Tupou spoke on the telephone with Kava Mone Toia.

17. On or about December 11, 2001, Kava Mone Toia spoke on the telephone with defendant DAVID SOLA KAUWAKA.

18. On or about December 12, 2001, Kava Mone Toia spoke on the telephone with Jeral E. Smith.

19. On or about December 13, 2001, Kava Mone Toia spoke on the telephone with defendant KENNETH JAMES DUARTE.

20. On or about December 13, 2001, defendant INITAMITIETI LIUTAI spoke on the telephone with Kava Mone Toia.

21. On or about December 16, 2001, Kava Mone Toia spoke on the telephone with Jeral E. Smith.

22. On or about December 15, 2001, Lisa Elaine Curry spoke on the telephone with Kava Mone Toia.

23. On or about December 17, 2001, Jeral E. Smith transported a quantity of crystal methamphetamine from Los Angles, California to Kahului, Maui.

24. On or about December 17, 2001, Leon Len Allen, Jr. met with Jeral E. Smith at the Kahului Airport.

25. On or about December 17, 2001, Kava Mone Toia spoke on the telephone with defendant PENI AMATO.

26. On or about December 18, 2001, Trent Allen Woodmore, aka "MJ," aka "Shoreline," spoke on the telephone with Kava Mone Toia.

27. On or about December 18, 2001, defendant ELIZABETH ANN JONES spoke on the telephone with Kava Mone Toia.

28. On or about December 19, 2001, Katoni Johansson, aka "Toni Aleki," spoke on the telephone with Kava Mone Toia.

29. On or about December 20, 2001, Kava Mone Toia spoke on the telephone with Trent Allen Woodmore, aka "MJ," aka "Shoreline," and Leon Len Allen, Jr.

30. On or about December 20, 2001, Kava Mone Toia met with Trent Allen Woodmore and Leon Len Allen, Jr. in a parking lot at Mana Kai Maui Resort in Kihei, Maui.

31. On or about December 20, 2001, Kava Mone Toia spoke on the telephone with defendant Aisea Tupou.

32. On or about December 22, 2001, Trent Allen Woodmore, aka "MJ," aka "Shoreline," spoke on the telephone with Kava Mone Toia.

33. On or about December 31, 2001, Kava Mone Toia spoke on the telephone with defendant SOLOMON M. FRASER.

34. On or about December 31, 2001, Kava Mone Toia spoke on the telephone with defendant SOLOMON M. FRASER.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges that:

On or about December 5, 2001, in the District of Hawaii defendant JASON JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b).

COUNT 3

The Grand Jury further charges that:

On or about December 5, 2001, in the District of Hawaii

defendant PENI AMATO, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b).

COUNT 4

The Grand Jury further charges that:

On or about December 9, 2001, in the District of Hawaii defendant JASON JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b).

COUNT 5

The Grand Jury further charges that:

On or about December 10, 2001, in the District of

Hawaii defendant JASON JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 6

The Grand Jury further charges that:

On or about December 11, 2001, in the District of Hawaii defendant SOLOMON M. FRASER, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 7

The Grand Jury further charges that:

On or about December 11, 2001, in the District of

Hawaii defendant DAVID SOLA KAUAKA, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 8

The Grand Jury further charges that:

On or about December 13, 2001, in the District of Hawaii defendant KENNETH JAMES DUARTE, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 9

The Grand Jury further charges that:

On or about December 13, 2001, in the District of

Hawaii defendant INITAMITIETI LIUTAI, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843(b).

COUNT 10

The Grand Jury further charges that:

On or about December 13, 2001, in the District of Hawaii defendant JASON JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843(b).

COUNT 11

The Grand Jury further charges that:

On or about December 15, 2001, in the District of

Hawaii defendant KENNETH JAMES DUARTE, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 12

The Grand Jury further charges that:

On or about December 16, 2001, in the District of Hawaii defendant JASON JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 13

The Grand Jury further charges that:

On or about December 17, 2001, in the District of

Hawaii defendant PENI AMATO, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846. All in violation of 21 United States Code Section 843(b).

COUNT 14

The Grand Jury further charges that:

On or about December 18, 2001, in the District of Hawaii defendant ELIZABETH ANN JONES, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843(b).

COUNT 15

The Grand Jury further charges that:

On or about December 20, 2001, in the District of Hawaii defendant INITAMITIETI LIUTAI, used and caused to be used

a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 16

The Grand Jury further charges that:

On or about December 27, 2001, in the District of Hawaii defendant PENI AMATO, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 17

The Grand Jury further charges that:

*31 Sell*  
On or about December 27, 2001, in the District of Hawaii defendant SOLOMON M. FRASER, used and caused to be used a

communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 18

The Grand Jury further charges that:

On or about December 31, 2001, in the District of Hawaii defendant SOLOMON M. FRASER, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, and a quantity of cocaine, Schedule II controlled substances, a felony under 21 United States Code, Section 846.

All in violation of 21 United States Code Section 843 (b) .

COUNT 19

The Grand Jury further charges that:

On or about February 22, 2002, in the District of Hawaii defendant ELIZABETH ANN JONES, did knowingly and

intentionally possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, in violation of 21 United States Code Section 841(a)(1).

COUNT 20

The Grand Jury further charges that:

*April 24 Sell*

On or about ~~February 22~~, 2002, in the District of Hawaii defendant SOLOMON M. FRASER, did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, in violation of 21 United States Code Section 841(a)(1).

COUNT 21

The Grand Jury further charges that:

*April 24. Sell*

On or about ~~February 22~~, 2002, in the District of Hawaii defendant SOLOMON M. FRASER, did knowingly and intentionally possess with intent to distribute a quantity of

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cocaine, a Schedule II controlled substance, in violation of 21 United States Code Section 841(a)(1).

DATE: May 1, 2002, Honolulu, Hawaii.

A TRUE BILL

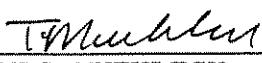
*/s/*

FOREPERSON, GRAND JURY

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\_\_\_\_\_  
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